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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,642	10/07/2005	Hans Jorgen Dalum	378/9-2008	3059

28147 7590 11/29/2007
WILLIAM J. SAPONE
COLEMAN SUDOL SAPONE P.C.
714 COLORADO AVENUE
BRIDGE PORT, CT 06605

EXAMINER

FERGUSON, MICHAEL P

ART UNIT	PAPER NUMBER
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3679

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11/29/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/517,642	Applicant(s) DALUM, HANS JORGEN	
	Examiner Michael P. Ferguson	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/09/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because of the following:

The portion of element **13** received within element **2**, shown in cross-sectional view in Figure 1, should be shown using dashed hidden lines.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

4. The following guidelines illustrate the content of the specification of a utility application. These guidelines are suggested for the applicant's use.

Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).
- (e) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),

and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
 - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
 - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly

complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

- (j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (l) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

5. The disclosure is objected to because of the following informalities:

In the specification, page 3 (lines 5-6) recites "According to... as defined in claim 1". Such lines should be deleted.

In the specification, page 6 (lines 1-2) recites "According to... as stated in claim 2". Such lines should be deleted.

In the specification, page 6 (lines 12-13) recites "apertured discs according to claim 2". It should recite --apertured discs--.

In the specification, page 6 (lines 22-23) recites "According to... as stated in claim 3". Such lines should be deleted.

In the specification, page 6 (lines 27-28) recites "According to... as stated in claim 4". Such lines should be deleted.

In the specification, page 7 (lines 9-10) recites "According to... as stated in claim 5". Such lines should be deleted.

In the specification, page 7 (lines 21-22) recites "According to... as stated in claim 6". Such lines should be deleted.

In the specification, page 7 (line 24) recites "an upright according to claim 6". It should recite --an upright--.

In the specification, page 7 (lines 28-29) recites "According to... as stated in claim 7". Such lines should be deleted.

In the specification, page 8 (lines 1-2) recites "an upright according to claim 7". It should recite --an upright--.

In the specification, page 8 (lines 14-15) recites "According to... as stated in claim 8". Such lines should be deleted.

In the specification, page 8 (line 17) recites "A use according to claim 8". It should recite --A use--.

In the specification, page 8 (line 22) recites "the use according to claim 8". It should recite --the use--.

In the specification, page 8 (lines 28-29) recites "According to... as stated in claim 9". Such lines should be deleted.

In the specification, page 9 (lines 12-13) recites "According to.. as stated in claim 10". Such lines should be deleted.

Appropriate correction is required.

Claim Objections

6. Claims 5-8 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-8 have not been further treated on the merits.

7. Claims 1-4, 9 and 10 are objected to because of the following informalities:

Claim 1 (line 3) recites "in said order, a first object". It should recite --in order, one of the first objects--.

Claim 1 (line 4) recites "and a first". It should recite --and the other first--.

Claim 1 (line 5) recites "characterised". It should recite --characterized--.

Claim 1 (line 6) recites "for the pipe". It should recite --of the pipe--.

Claim 2 (line 1) recites "characterised by additionally". It should recite --further--.

Claim 2 (lines 2-4) recites "wherein it applies to each pair of apertured discs (8) that the apertured discs (8) of a pair are disposed on their respective sides". It should recite --wherein each respective apertured disc (8) of each pair of apertured discs is disposed on a respective side--.

Claim 2 (lines 4-5) recites "between this and a first object". It should recite --between the second object and one of the first objects--.

Claim 2 (line 5) recites "through the hole". It should recite --extending through a hole--.

Claim 3 (line 1) recites "characterised". It should recite --characterized--.

Claim 4 (line 1) recites "to claims 2-3, characterised in that apertured discs". It should recite --to claim 2 or 3, characterized in that the apertured discs--.

Claim 9 (line 3) recites "means (5) in that". It should recite means (5), in that--.

Claim 9 (lines 4-5) recites "in said order, assembles a first object". It should recite --in order, assembles one of the first objects--.

Claim 9 (lines 5-6) recites "and a first object (3), characterised". It should recite --and the other first object (3), characterized--.

Claim 9 (line 7) recites "with contact to the two". It should recite --via contact with the two--.

Claim 10 (lines 1-3) recites "characterized in that one or more discs (8) of a pair are disposed on their respective sides of the second object (4) between this and a first object". It should recite --further comprising one or more pairs of apertured discs (8), wherein each respective apertured disc of each pair of apertured discs is disposed on a respective side of the second object (4) between the second object and one of the first objects--.

Claim 10 (line 4) recites "through the hole". It should recite --extending through a hole--.

For the purpose of examining the application, it is assumed that appropriate correction has been made.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Regarding claims 3 and 4, the phrase "such as" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-4, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoshino (US 5,154,382).

As to claim 1, Hoshino discloses a rotatable link comprising a pipe **10**, two first objects **12,13** each having a bore **14**, a second object **21** having a bore **23**, and an attachment means **50** extending through the bores and assembling, in order, one of the first objects, the second object and the other first object into a unit, characterized in that the two first objects are secured to the pipe on a part of the area of a rim of the pipe,

thereby providing a mechanical tension in the pipe (tension is provided via discs **60A,60B,40**) which is transferred as compressive forces in the longitudinal direction of the attachment means to the second object, which forms a link part **20** rotatable relative to the two first objects with an axis of rotation along the longitudinal axis of the attachment means (Figures 1 and 3-6).

As to claim 2, Hoshino discloses a rotatable link comprising one or more pairs of apertured discs **60A,60B,40**, wherein each respective apertured discs of each pair of apertured discs is disposed on a respective side of the second object **21** between the second object and one of the first objects **12,13** and with the attachment means **50** extending through a hole in the apertured discs (Figure 3).

As to claim 3, Hoshino discloses a rotatable link characterized in that the number of pairs of apertured discs **60A,60B** is two or more (Figure 3).

As to claim 4, Hoshino discloses a rotatable link characterized in that the apertured discs **60A,60B,40** are made of a material selected from the following substances: plastics and metal (discs **60A,60B,40** have metal cross-hatching; Figure 4, column 2 lines 44-51).

As to claim 9, Hoshino discloses a method of manufacturing a rotatable link comprising assembling a unit consisting of two first objects **12,13** each having a bore **14**, a second object **21** having a bore **23**, and an attachment means **50** in that the attachment means is passed through the bores and, in order, assembles one of the first objects, the second object and the other first object, characterized by securing the unit to a pipe **10** on a part of the area of a rim of the pipe via contact with the two first

objects, thereby providing a mechanical tension in the pipe (tension is provided via discs **60A,60B,40**) which is transferred as compressive forces in the longitudinal direction of the attachment means to the second object, which forms a link part rotatable relative to the two first objects with an axis of rotation along the longitudinal axis of the attachment means (Figures 1 and 3-6).

As to claim 10, Hoshino discloses a method comprising one or more pairs of apertured discs **60A,60B**, wherein each respective apertured disc of each pair of apertured discs is disposed on a respective side of the second object **21** between the second object and one of the first objects **12,13** and with the attachment means **20** extending through a hole in the apertured discs (Figure 3).

Conclusion

The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. The following patents show the state of the art with respect to rotatable links:

Schnaus (US 1,015,347), Stecklein (US 4,192,622), Benson (US 4,135,372), Fleischer (US 1,524,702), Schmitt (US 5,599,056) and Dietrich et al. (US 4,951,349) are cited for pertaining to links comprising rotatable first and second objects, attachment means and a plurality of pairs of apertured discs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (6:30am-3:00pm).

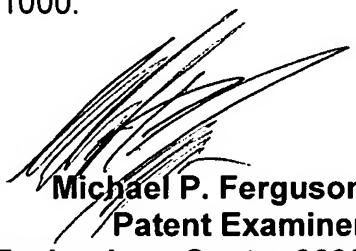
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


MPF
11/26/07


Michael P. Ferguson
Patent Examiner
Technology Center 3600